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C O N F I D E N T I A L SECTION 01 OF 02 ATHENS 000432

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TAGS: [PGOV](#) [PREL](#) [CJAN](#) [CPAS](#) [ECON](#) [KIPR](#) [GR](#)
SUBJECT: JUSTICE MINISTER: RAPID RATIFICATION OF U.S./EU
EXTRADITION AND MLA AGREEMENT - LESS SATISFACTION

REF: A. 07 STATE 21524
[1](#)B. ATHENS 1843

Classified By: Ambassador Daniel V. Speckhard
for reasons 1.4 (b) and (d).

SUBJECT: Justice Minister: Rapid Ratification of U.S./EU
Extradition and MLA Agreement/Less Satisfaction on
Halagiannis Extradition

SUMMARY

[1](#)1. (C) On March 7, Ambassador Speckhard met with Greek Minister of Justice Hatzigakis to encourage rapid ratification of the U.S./EU Extradition and Mutual Legal Assistance Agreements before the June 2008 EU/U.S. Summit. The Minister was optimistic they would be ratified by the Greek Parliament by that time. The Ambassador also raised the ongoing case of Amcit Angelo Haligiannis (ref A) who was found not extraditable by Greek authorities (ref B) based upon his Greek citizenship. The Ambassador asked that this decision be reconsidered; the Minister responded that this issue was a decision by prosecutors who do not answer to the MOJ. The Ambassador raised intellectual property rights with the Minister, asking for more active Greek actions. End Summary.

U.S./EU EXTRADITION AND MLA AGREEMENTS

[1](#)2. (C) On Friday, March 7, Ambassador Speckhard met with Minister of Justice Sotirios Hatzigakis at the MOJ where Ambassador raised the subject of the upcoming U.S./EU Summit in June 2008. The Ambassador was accompanied by Legatt and Poloff. The Ambassador noted that Greece was among the eight EU members that had not yet ratified the U.S./EU Extradition and Mutual Legal Assistance Agreements that had been concluded under the Greek EU Presidency in 2003. The Ambassador said the United States urged the Greek government to conclude its ratification process prior to the U.S./EU June Summit.

[1](#)3. (C) Minister Hatzigakis was well versed in the issue and assured the Ambassador that the two instruments would be ratified by the Greek Parliament before the June Summit. He stated that he had discussed the issue with EU Commissioner Frattini the previous week and had told Frattini that Greece would move forward with ratification "as soon as possible." Hatzigakis told Ambassador that he had personally urged members of the Athens ratification committee to finalize the agreement soon. He added that the members assured him that Greece was in the last stages of the process. Recognizing that ratification is an "obligation of the GoG," Hatzigakis insisted that the problem would soon be solved.

HALIGIANNIS EXTRADITION

14. (C) The Ambassador noted that neither Embassy Athens nor the Justice Department had received any formal reply from the Government of Greece to the Embassy's Diplomatic Note requesting extradition of Angelo Haligiannis or the formal extradition package submitted to Greece by the Department of Justice. "We need answers to keep the process going," the Ambassador said, adding that the Embassy is ready to seek assistance from Greek legal counsel to challenge the decision about Haligiannis not being extraditable. Reminding the MOJ that Greece has no better friend than the Greek-American community, Ambassador explained that there were a large number of Greek-American victims who were left feeling "very abused" by Haligiannis, crimes.

15. (C) Hatzigakis said the Greek system is unlike the American system of criminal justice. "The prosecutors are absolutely independent," Hatzigakis told the Ambassador, and said that even though the prosecutor on Crete found that he could not be extradited, Haligiannis could still be tried in Greece for his crimes in the U.S. Ambassador asked (several different ways) if there were an appeals process that would permit an Embassy-hired attorney to seek an overruling of the prosecutor's decision. The Ambassador explained that because Haligiannis did not receive Greek citizenship until after the commission of his crimes, we believed he was, therefore, subject to extradition under article eight of the extradition treaty in force between Greece and the U.S.

16. (C) Legatt also advised the Minister that the Embassy had received no official response to the USG's request for extradition and that we required a response to move forward. An aide to the MOJ insisted that the response had been sent in September. Legatt gently advised that the extradition

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package was not delivered until October. The same aide also said that he was not sure if Haligiannis had broken any Greek laws in entering Greece, in response to the Ambassador. Ambassador said that it would be worth looking into, out of respect for Hatzigakis, add Intellectual Property Rights

17. (C) The Ambassador raised the continued difficulty of getting convictions in Greece in intellectual property rights (IPR) cases, noting that this would be a major factor in the USG's determination on whether to list Greece in the Special 301 report this year. He asked the Minister if he might be able to use his good offices to find some way to help the judiciary understand that IPR losses were a problem for the Greek economy. Acknowledging the judiciary's heightened sensitivity about its own independence, the Ambassador said the U.S. would welcome Greek advice on how best to approach the judiciary on the subject of U.S.-sponsored training. The Minister responded that he had a very close personal connection with many members of the judiciary and that he frequently encountered them at social events. At such occasions, he suggested that he could pass along his thoughts) but added that they were under no obligation to accept his advice. The MOJ seemed interested in the topic of U.S.-provided training, but not overly so, and again deferred saying that this was more in the bailiwick of the Ministry of Foreign Affairs.

18. (C) At the conclusion of the meeting, the Minister asked for the Ambassador's assistance in arranging for a visit to a prison or correctional center when he visits the United States April 11) 18, 2008. Specifically, the Minister requested an opportunity to learn more about innovative ways that U.S. prisons deal with inmates' psychological issues. "I'd like to see something new related to psychology and / or narcotics) something we can use in Greece," he concluded.

19. (C) BIO NOTE: Minister Hatzigakis is from one of Greece's

oldest political families) with a family member continuously in the Greek Parliament since 1891. He speaks English at a fairly fluent level, although he occasionally sought assistance from his aide. He has two sons studying in the UK. His eldest son is finishing a degree in International Economics and is intending to continue his studies in the U.S., in either Boston or New York, with his father,s strong approval. The younger son studies law in England. He commented that he frequently works from 9:00 a.m. to 10:00 p.m. End note.

COMMENT

¶10. (C) Minister Hatzigakis was surprisingly uninformed on the issues raised with the exception of the U.S./EU Extradition Treaty. He seemed less than enthused with our efforts to enlist his aid in getting the judiciary to accept seminars or other training on IPR issues. He seemed convinced that the Haligiannis case was over and done with as far as extradition and did not seem to even fully understand our question about appealing the prosecutor,s decision to a higher authority. As for his assurances that the Extradition treaty will be conclude before the June Summit, we believe him to be sincere but note that the ball will be in the Greek Parliament's court.
SPECKHARD